

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

C.A. No. 04-12038-JLT

EIJA HEWARD,  
 Plaintiff  
 v.  
 CITY OF BROCKTON,  
 BROCKTON PUBLIC SCHOOLS,  
 AND DONALD BURRELL,  
 INDIVIDUALLY AND AS PRINCIPAL  
 OF EAST JUNIOR HIGH SCHOOL,  
 Defendants

## JOINT STATEMENT CONTAINING PROPOSED PRETRIAL SCHEDULE

\_\_\_\_ Pursuant to L.R. 16.1(D) and this Court’s Notice of Scheduling Conference, Plaintiff Eija Heward (“Plaintiff”) and Defendants City of Brockton, Brockton Public Schools, and Donald Burrell (“Defendants”) file this Joint Statement Containing a Proposed Pretrial Schedule.

## 1. PROPOSED DISCOVERY PLAN

April 15, 2005	Automatic disclosures to be served.
May 31, 2005	Supplemental or amended pleading to be filed and served.
September 30, 2005	Written discovery (as allowed by the court) to be served (except expert witness disclosures).
December 30, 2005	Non-expert depositions to be completed.
January 31, 2006	Plaintiff shall designate expert witnesses and produce reports within 30 days thereafter as contemplated by Fed.R.Civ.P. 26(b)(4)(A)(I); designation of experts shall include provision of

any information required by Federal Rules of Civil Procedure and/or Local Rules.

March 16, 2006

Defendant shall designate expert witnesses and produce reports within 30 days thereafter as contemplated by Fed.R.Civ.P.

26(b)(4)(A)(I); designation of experts shall include provision of any information required by Federal Rules of Civil Procedure and/or Local Rules.

April 30, 2006

Depositions of expert(s) to be completed.

**2. PROPOSED SCHEDULE FOR FILING MOTIONS**

August 31, 2006

Deadline for filing dispositive motions.

**3. MODIFICATION OF SCHEDULE DATES**

All dates, other than any trial date, may be modified subject to written agreement of the parties and approval by the Court, or upon motion to the Court for good cause.

**4. ALTERNATIVE DISPUTE RESOLUTION**

\_\_\_\_\_The parties agree to engage in the alternative dispute resolution process.

**5. CASE MANAGEMENT CONFERENCE**

The parties propose that a case management conference be held pursuant to L.R. 16.3 during or about September 2006 for the purpose of exploring the possibility of settlement, for the scheduling of a pretrial conference and/or trial, and for all other matters deemed appropriate by the Court.

**6. TRIAL BY MAGISTRATE JUDGE**

At the present time, the parties do not consent to trial of this action by Magistrate Judge.

**7. TRIAL DATE**

The parties propose that a trial by jury be scheduled for November 2006.

WHEREFORE, the parties respectfully that the Court approve their proposed pretrial schedule and discovery plan, with such amendments as the Court deems just and proper.

Respectfully submitted,  
CITY OF BROCKTON, BROCKTON PUBLIC  
SCHOOLS And DONALD BURRELL  
INDIVIDUALLY AND AS PRINCIPAL OF EAST  
JUNIOR HIGH SCHOOL,  
By Their Attorney,

/s/ Lorna M. Hebert

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Respectfully submitted,  
EIJIA HEWARD,  
By Her Attorney,

/s/ Joseph R. Gallitano

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